

PROCEEDINGS OF THE HISTORIC CONSERVATION BOARD

MONDAY, MARCH 12, 2001

3:00 P.M., J. MARTIN GRIESEL ROOM, CENTENNIAL PLAZA II

The Historic Conservation Board met at 3:00 P.M., in the J. Martin Griesel Room, Centennial Plaza II, with Messrs. Bloomfield, Kreider, Raser and Senhauser and Mmes. Borys, Sullebarger and Wallace present. Members absent: Mr. Dale and Ms. Spraul-Schmidt.

CERTIFICATE OF APPROPRIATENESS, 1120 JACKSON STREET, OVER-THE-RHINE (SOUTH) HISTORIC DISTRICT

Staff member Daniel Young presented the staff report and showed elevation drawings and photographs of 1120 Jackson Street. This underused building has been substantially altered and is identified in the district guidelines as "non-contributing." The redesign proposes reworking the front of the building into a symmetrical composition with as much transparency as possible. The design is preliminary to marketing the property to prospective tenants. Also, approximately 10% of the rear wall openings will be reopened and glazed with windows like those on the front façade. Christopher J. Frutkin, the developer, was present.

BOARD ACTION

The Board voted unanimously (motion by Sullebarger second by Bloomfield) to approve a Certificate of Appropriateness (COA) for the storefront alterations and rear windows at 1120 Jackson Street, as shown in plans dated March 5, 2001, on the condition that only clear glass may be installed.

APPROVAL OF A DEVELOPMENT PLAN AND A CERTIFICATE OF APPROPRIATENESS 1119-1121 RACE STREET, OVER-THE-RHINE (SOUTH) HISTORIC DISTRICT

Urban Conservator William Forwood presented the staff report on owner Wayne Harris' request for Transition-zone (T-zone) approval to construct an outdoor patio for a bar and a Certificate of Appropriateness for exterior changes at 1121 Race Street including the construction of a 10' high screen wall and reconfigured parking lot.

A concrete block wall with solid steel door has already been erected on the site. The applicant has suggested that it be covered in stucco with shallow arches and stone veneer pilasters to soften the effect of the solid wall.

[Mr. Kreider joined the meeting.]

Staff has recommended that the wall be brick, that it be no higher than 7', that the steel door be shielded from the street by a wrought iron gate, and that landscaping or other screening be installed between the wall and sidewalk. Mr. Forwood said the new patio will be entered through and used in conjunction with 1119 Race, an

existing bar. The new use for 1121 Race is a permitted use within T-zone regulations. The only person who attended the pre-hearing, a neighborhood bar owner, supported the application; there have been no objections from community groups or adjacent property owners.

Mr. Dean Forester, who prepared the drawings documenting the completed work, was available to answer questions. He indicated that a stucco and cultured stone veneer could be added to the wall already in place without modification to the footings. He said the top of the 10' wall aligns with the top of the existing garage doors and provides security and privacy and would screen sound from the patio.

In answer to a question from Ms. Sullebarger, Mr. Forster said there was no plan for residences above 1119 and 1121 Race Street. Mr. Senhauser pointed out that if allowing an open bar area on the ground floor of a building precludes mixed-use residential space above, the whole intent of the T-zone provision to increase residential units has been thwarted. He commented that the T-zone variance runs with the occupant and the business, not the building. Mr. Kreider said there is an ordinance that could control excessive noise from the outdoor patio. Mr. Forester indicated that the wall ran perpendicular to the street for some distance in order to screen the patio from openings in the side-wall of the building to the north. Some Board members questioned the appropriateness of the front parking lot. Mr. Forster said there is an existing curb cut, but that additional landscaping could be added. There was further discussion about the appropriate height and degree of transparency of the wall. Mr. Bloomfield requested an overall landscaping plan.

[Ms. Wallace joined the meeting.]

BOARD ACTION

The Board voted unanimously (motion by Bloomfield second by Sullebarger) to approve the staff recommendation to:

1. Approve the proposed use, finding that the proposed outdoor drinking establishment is consistent with the T-Zone requirements and will conform to all applicable laws, ordinances and regulations and is in the public interest.
2. Find that the work at 1121 Race Street as built in 2000 without a building permit or a COA is inappropriate and should be modified to meet the historic guidelines. The applicant must resubmit plans to the Board that reduce the wall height, allow some transparency through the wall and include landscaping proposals for the area between the wall and the sidewalk.

DOWNTOWN DEVELOPMENT VARIANCE AND CERTIFICATE OF APPROPRIATENESS, 129-131 WEST NINTH STREET, NINTH STREET HISTORIC DISTRICT

Staff member Julia Carney presented the staff report on this application for a variance to install a wrought iron fence and gate along the Ninth Street sidewalk edge of a parking lot. The applicant proposes a 7" wrought iron fence similar to one across the street at the Cincinnati Hills Academy. The fence does not meet the specific requirement of DD zoning. The proposal also includes a gate across Britt

Alley, a public right of way adjacent to the site. A revocable street privilege or a vacation of the right of way would be required to install a fence across the alley. Until recently notified by an adjacent property owner whose rear property line adjoins Britt Alley, staff was under the impression that the applicant owned all property abutting the alley.

Mark Gunther of Wichman Gunther Architects, Inc. represented the owner and was available to answer questions. He acknowledged that a second property owner abuts Britt Alley and received regular deliveries through the alley. He said he believed that an agreement could be reached with the neighbor to address the problem of access. The applicant has not applied for vacation of the alley and does not know the impact the vacation would have on fire or emergency access. The Board expressed concern about details of the landscaping and granting a variance before the owner obtains the revocable street permit.

BOARD ACTION

The Board voted unanimously (motion by Bloomfield second by Borys) to table the application until the owner obtains the revocable street permit and returns to the Board with a detailed landscape plan and a more detailed description of the fence and gate fabrication.

FEDERAL HISTORIC COMPLIANCE REVIEW (SECTION 106), 21 GREEN STREET, ST. ANTHONY HOUSING NEW CONSTRUCTION, OVER-THE-RHINE (SOUTH) HISTORIC DISTRICT

Mr. Young presented the staff report for this proposal to construct a new 6-unit residential building on a vacant site within the Over-the-Rhine National Register Historic District. Although this is not in a local historic district, the Board must determine whether the proposed building will have an adverse effect on those characteristics that make the Over-The-Rhine Historic District eligible for the National Register. Mr. Young indicated that the form and detail are consistent with other neighborhood and district buildings. He said that although frame elements with siding on masonry buildings (such as stair towers) are common in Over-The-Rhine, the siding is more typically installed horizontally. Staff recommended that the cementitious board siding be installed horizontally and be painted. Frank Russell, the project architect, was present to answer questions.

BOARD ACTION

The Board voted unanimously (motion by Sullebarger second by Kreider) and to

1. Find that the proposed construction of a new residential building at 21 Green Street will have "No Adverse Effect" on those characteristics that qualify the Over-the-Rhine Historic District for inclusion in the National Register of Historic Places, on the condition that the design be revised to call for the siding to be installed horizontally.
2. Direct staff to forward a report of the Board's action, along with supporting documentation, to the Ohio Historic Preservation Office for review.

HISTORIC DESIGNATION STUDY, PROPOSED GRANDIN ROAD HISTORIC DISTRICT

Staff member Adrienne Cowden summarized the staff report. The initial designation study prepared by Margo Warminski defined the period of significance for a potential district as 1860-1958. The end date of 1958 was chosen specifically to allow buildings designed by Carl A. Strauss to be evaluated as contributing elements within the district. Since the Grandin Road area includes a number of buildings constructed after 1950, the selected end date also served the secondary purpose of reducing the number of intrusions within the proposed district.

As a Certified Local Government, the City of Cincinnati Historic Conservation Office must apply the National Register Criteria for Evaluation to its local designations. Under these criteria, buildings less than fifty years old are not considered to be contributing elements of a historic district unless they are individually eligible for listing in the National Register of Historic Places. Upon consultation with the Ohio Historic Preservation Office, staff determined that the period of significance should be redefined from 1860-1958 to 1860-1950. When buildings constructed after 1950 were excluded as contributing elements, the proposed district broke apart into four distinct areas. Upon further evaluation, staff determined that none of these areas met the qualifications for local designation. The redefined period of significance also eliminated the possibility of a scenic byway along Grandin Road due to the number of intrusions along its length.

Staff believes that the proposed Grandin Road Historic District as well as the smaller areas within the study area fail to meet the qualifications for local designation as outlined under Chapter 741 of the Municipal Code. Because of their association with significant persons, architects and/or events not revealed in this preliminary study, some of the structures in the Grandin Road area may be eligible for individual listing in the National Register of Historic Places; other later buildings may gain eligibility in the coming years. For this reason they may warrant further study.

Chris McDowell, Esq., representing Robert Castellini, and Edward C. Tyrrell, representing Summit Country Day School, were present to address the Historic Conservation Board.

Mr. Kreider commended Ms. Cowden and consultant Margaret Warminski for their outstanding work on this project.

BOARD ACTION:

The Board voted unanimously (motion by Bloomfield second by Borys) to accept the staff recommendation to:

1. Take administrative action to terminate the designation process for the Grandin Road Historic District;
2. Direct the Historic Conservation Office to forward to the Hyde Park Neighborhood Council information concerning buildings that may be potentially eligible for listing in the National Register of Historic Places in the Grandin Road area; and
3. Direct the Historic Conservation Office to submit copies of the draft designation report and any supporting documentation information to the Ohio Historic Preservation Office for its files.

Mr. Senhauser emphasized that this administrative decision is made on the basis of the facts gathered during this study. They do not appear to support a district based upon patterned growth or individual significance of the structures. There are a number of fine buildings, but there is no strong evidence supporting this as an area recognizable as possessing a very distinct sense of time and place. The information gathered in this study may be used in future evaluation of the neighborhood.

OTHER BUSINESS

1340 Clay Street: Mr. Raser inquired about the parking lot screening/handicap ramp railing installed at 1340 Clay Street. Mr. Forwood said he has spoken with the architect who stated the inappropriate material had not been installed and that the punched metal panels shown on the elevation drawings and in the sample approved by the HCB on July 24, 2000 would be installed at 1340 Clay Street.

Motion to Eliminate Building Permits for Minor Work: Mr. Forwood summarized a draft ordinance resulting from a motion by Councilmembers DeWine and Reece to eliminate the present requirement to secure a building permit for certain items of work. He said that the Neighborhood Services Committee of City Council has considered Mr. Langevin's report on the matter; the proposed ordinance may go to City Council as early as March 14, 2001.

In the most recent draft, all properties, both within and outside historic districts are exempt from procuring a building permit. There is specific language that refers to the COA as a requirement within historic districts; however, there is no provision for pre-registering work within districts. Owners of historic properties will pay no additional fees. Mr. Forwood said windows, siding, roof covering, gutters and downspouts, fences no more than 6' high and flag poles would no longer require permits.

Mr. Senhauser said that when several HCB members met with Councilman DeWine the Board's position was that permits and fees should be equitable between historic and non-historic properties and that the process should be simple and efficient. Ms. Sullebarger said she had spoken with Mr. Langevin about the pre-screening or registering of applications within historic districts, but it was his position that this was not practical under the City's present system.

Over-the-Rhine (North) Historic District: Mr. Forwood announced that Councilman DeWine has requested that the Historic Conservation Office prepare a designation study for an Over-the-Rhine (North) Historic District. The district would be put in place when the Neighborhood Housing Retention Ordinance expires in May and would focus on the demolition of contributing buildings. Mr. Forwood has suggested that district guidelines include new construction and site development as well as demolition. Mr. Bloomfield suggested painting of buildings also be included.

[Mr. Bloomfield left the meeting.]

Enforcement of Historic District Guidelines: Ms. Sullebarger suggested that the HCB request community councils to remind residents of historic districts every few years

about the existence of the district and its requirements. Some residents may have forgotten; others may have moved into the district without knowing of its existence.

ADJOURNMENT

As there were no other items for consideration by the Board, the meeting adjourned.

William L. Forwood
Urban Conservator

John C. Senhauser
Chairman

Date